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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,807	02/07/2002	Jacques Prodel	47770/DBP/N75	3679
23363	7590	07/13/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			VALENZA, JOSEPH E	
PO BOX 7068			ART UNIT	
PASADENA, CA 91109-7068			PAPER NUMBER	
			3651	

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/072,807	PRODEL ET AL.	
	Examiner	Art Unit	
	Joseph Valenza	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6,7 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-5,8-14,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 2, 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al.

Transporter 13B with gripper 16 carries part M from distributor 5 to positioning tool 7. Manipulator 70 with gripper 73 then carries the part to the positioning receptacle on support 6. It would be obvious that support 6 can be called an immobilized pallet because it performs the same function. With regard to claim 2, the relative levels of the distributor, positioning tool and positioning receptacle are not critical to the operation of the system as claimed and are not considered to be patentable over the height differences between the similar structures in Oyama et al. With regard to claim 14, no patentable significance is given "corresponding part" of claim 14 over the "positioning receptacle" of claim 1. Note the "corresponding part" of claim 14 and the "positioning receptacle" of claim 1 are both carried by the "immobilized pallet" and fail to define over support 6 of figure 2 in Oyama et al.

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of Vaerman.

It would have been obvious that the 2 dimensionally movable gripper 13B of Oyama et al could be a 3 dimensionally movable gripper like gripper means 2-7 of Vaerman.

3. Claims 5, 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of McLennan.

It would have been obvious that manipulator 70 with gripper 73 of Oyama et al could be modified to rotate horizontally instead of reciprocate horizontally as taught by vertically and horizontally pivotal manipulator 34 of McLennan.

4. Claims 6, 7 and 15 are allowed.

5. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of McLennan and Beers or Stuckey.

It would have been obvious to add the teachings of centering means 62 on gripper 42 of Beers or centering means 96, 97 on gripper 38 or 42 of Stuckey to the gripper 73 of Oyama et al in the structure of paragraph 3.

6. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of McLennan and Beers or Stuckey and Hisao.

It would have been obvious to add the teaching of elastic means 9f and 9d of Hisao to the structure of paragraph 5.

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of Beers or Stuckey.

It would have been obvious to add the teachings of centering means 62 on gripper 42 of Beers or centering means 96, 97 on gripper 38 or 42 of Stuckey to the gripper 73 of Oyama et al in the structure of paragraph 1. The number of centering rods has not been proven to be critical to the operation of the system.

8. This is a Request for Continued Examination of applicant's earlier Application No. 10/072807. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office

action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication should be directed to Joseph E. Valenza at telephone number (703) 308-2577. Amendments may be faxed to (703) 872-9306. My normal work week is Monday through Thursday.

A handwritten signature in cursive script, reading "Joseph Valenza".

JOSEPH E. VALENZA
PRIMARY EXAMINER